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July 15, 2008

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**VIA FACSIMILE (212) 805-6737**

The Honorable George B. Daniels  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street, Room 630  
New York, New York 10007

**SO ORDERED**

*George B. Daniels*  
**HON. GEORGE B. DANIELS**  
JUL 18 2008

Re: *EyeWonder, Inc. v. John Abraham*, No. 08 Civ. 3579 (GBD) (RLE)

Dear Judge Daniels:

We represent EyeWonder, Inc. ("EyeWonder"), the plaintiff in this case.

Counsel for the parties are in agreement and respectfully submit to Your Honor that the initial pretrial conference scheduled for tomorrow (Wednesday, July 16) at 9:30 a.m. should be postponed.

On June 9, 2008, the Court entered its Memorandum Decision and Order, granting EyeWonder a preliminary injunction in aid of arbitration. On June 16, 2008, Defendant John Abraham appealed the Court's decision to the United States Court of Appeals for the Second Circuit.

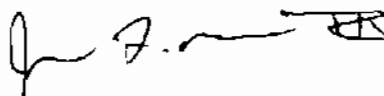
Additionally, last week, on July 10, 2008, EyeWonder moved to dismiss the counterclaims asserted by Mr. Abraham in this case, on the ground that those counterclaims should be resolved in the arbitration proceeding that is currently pending between the parties.

Given the procedural posture of this case, counsel for the parties are in agreement that the initial pretrial conference scheduled for tomorrow should be postponed. This afternoon, I contacted your chambers by telephone and spoke to your law clerk about this, and she agreed that, under the circumstances of this case, the initial pretrial conference should be postponed, and that I should send a letter to the Court confirming that the conference will be taken off of tomorrow's calendar.

The Honorable George B. Daniels  
May 9, 2008  
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If the Court should have any further questions or comments about this, please do not hesitate to contact me.

Best regards,



James F. Bogán III

Copy: Joel L. Finger (by e-mail)